



EXECUTIVE BRANCH ETHICS COMMISSION

**COMPLAINANT** 

v.

**SHARON HARRIS** 

RESPONDENT

## FINAL ORDER

The Executive Branch Ethics Commission hereby adopts the Recommended Order of Default of the Hearing Officer, as issued on August 16, 2010, as its Final Order.

## NOTICE OF APPEAL RIGHTS

You have a right to appeal the Final Order of the agency pursuant to KRS 13B.140, which reads in part:

(1) All final orders of an agency shall be subject to a judicial review in accordance with the provisions of this chapter. A party shall institute an appeal by filing a petition in the Circuit Court of venue, as provided in the agency's enabling statutes, within thirty (30) days after the final order of the agency is mailed or delivered by personal service. If venue for appeal is not stated in the enabling statutes, a party may appeal to Franklin Circuit Court or the Circuit Court of the county in which the appealing party resides or operates a place of business. Copies of the Petition shall be served by the Petitioner upon the agency and all parties of record. The Petition shall include the names

and addresses of all parties to the proceeding and the agency involved, and a statement of the grounds on which the review is requested. The Petition shall be accompanied by a copy of the Final Order.

Pursuant to KRS 23A.010(4), "Such review [by the Circuit Court] shall not constitute an appeal but an original action." Some courts have interpreted this language to mean that summons must be served upon filing an appeal in Circuit Court.

SO ORDERED, this 27<sup>th</sup> day of September, 2010.

EXECUTIVE BRANCH ETHICS COMMISSION
Ronald L. Green, Acting Chair
angela J. Edwards
Angela Edwards, Member
C S Let
W. David Denton, Member
_ WM (hop)
William Knopf, Member
alesest

William Francis, Member

## DISTRIBUTION

By hand delivery, for filing on September 27, 2010:

Debbie Briscoe Administrative Proceedings Clerk Executive Branch Ethics Commission 3 Fountain Place Frankfort, Kentucky 40601

and

Dana Cox Nickles General Counsel Executive Branch Ethics Commission 3 Fountain Place Frankfort, Kentucky 40601

By first class mail, postage prepaid:

Sharon Harris 215 Grand Ave. Miami, FL 33133-4841

and

Michael Head Hearing Officer Division of Administrative Hearings Office of the Attorney General 1024 Capital Center Drive, Suite 200 Frankfort, Kentucky 40601-8204

Debbie Briscoe

Debbie Briscoe